

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ENERGIZER S.A.

07 CV 7406 (LTS)

Plaintiff,

-against-

M/V YM GREEN, her engines, boilers and  
CORP. tackle *in rem*; YANG MING MARINE  
TRANSPORT and YANG MING (UK) CORP.;  
YANGMING (UK) LTD.; ALL OCEANS LTD  
TRANSPORTATION INC.; KAWASAKI KISEN KAISHA,  
LTD., CONTERM HONG KONG LTD.; VANGUARD  
LOGISTICS SERVICES HONG KONG LTD.; FIEGE  
GOTH CO., LTD.; and SHENZHEN HIGH POWER  
TECHNOLOGY CO. LTD.

ANSWER TO  
CONTINGENT CROSS-  
CLAIMS OF DEFENDANT  
ALL OCEANS TRANSPORT  
WITH AFFIRMATIVE  
DEFENSES

Defendants.  
-----X

Defendant KAWASAKI KISEN KAISHA, LTD. (answering  
defendant) by its attorneys, MAHONEY & KEANE, LLP, answers the  
First Contingent Cross-Claim of defendant ALL OCEAN TRANSPORTATION,  
INC. upon information and belief as follows:

ANSWERING THE FIRST CONTINGENT CROSS-CLAIM  
OF DEFENDANT ALL OCEAN TRANSPORTATION INC.

FIRST: Answering defendant denies knowledge or  
information sufficient to form a belief as to the allegations  
contained in paragraph "47" of the First Contingent Cross-Claim of  
defendant ALL OCEAN TRANSPORTATION, INC.

SECOND: Answering defendant denies each and every  
allegation contained in paragraphs "48" and "49" of defendant ALL  
OCEANS TRANSPORTATION INC.'s First Contingent Cross-Claim.

ANSWERING THE SECOND CONTINGENT CROSS-CLAIM  
OF DEFENDANT ALL OCEAN TRANSPORTATION INC.

THIRD: Answering defendant denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph "50" of defendant ALL OCEANS TRANSPORTATION INC.'s Second Contingent Cross-Claim.

FOURTH: Answering defendant denies each and every allegation contained in paragraphs "51", "52" "53", "54" and "55" of defendant ALL OCEANS TRANSPORTATION INC.'s Second Contingent Cross-Claim.

AS AND FOR A FIRST SEPARATE AND COMPLETE AFFIRMATIVE DEFENSE

FIFTH: Defendant, KAWASAKI KISEN KAISHA, LTD., repeats, reiterates and makes applicable to defendant ALL OCEANS TRANSPORTATION INC.'s First and Second Contingent Cross-Claims each Separate and Complete Affirmative defense in their Answer to plaintiff's Complaint as if specifically set forth herein at length and specifically without waiver of any jurisdictional defenses set forth in answering defendant's Answer to plaintiff's Complaint.

WHEREFORE, defendant KAWASAKI KISEN KAISHA, LTD. demand judgment dismissing the First and Second Contingent Cross-Claims herein, and awarding defendant KAWASAKI KISEN KAISHA, LTD. costs, fees, including reasonable attorneys fees and disbursements of this action, and further demands judgment against the defendant ALL OCEANS TRANSPORTATIONINC. for all sums which may be recovered by

plaintiff against the defendant KAWASAKI KISEN KAISHA, LTD. and awarding KAWASAKI KISEN KAISHA, LTD. costs, disbursements and attorneys' fees of this action, and for such other and further relief as to the Court may seem just and proper.

Dated: New York, N.Y.  
February 11, 2008

MAHONEY & KEANE, LLP  
Attorneys for Defendant  
KAWASKAKI KISEN KAISHA

By: 

Edward A. Keane (EK 1398)  
111 Broadway, Tenth Floor  
New York, New York 10006  
(212) 385-1422  
File No.: 12/3475/B/07/9

TO: HILL, RIVKINS & HAYDEN, LLP  
Attorneys for Plaintiff  
45 Broadway, Suite 1500  
New York, NY 10006  
(212) 669-0600

CICHANOWICZ, CALLAN, KEANE, VENGROW & TESTOR, LLP  
Attorneys for Defendants  
YANG MING MARINE TRANSPORT CORP.'s and  
YANGMING (UK) LTD CARRIERS  
61 Broadway, Suite 3000  
New York, NY 10006  
(212) 344-7042

DOUGHERTY, RYAN, GIUFFRA, ZAMBITO & HESSION  
Attorneys for Defendant  
CONTERM HONG KONG, LTD. and  
VANGUARD LOGISTICS SERVICES HONG KONG LTD.  
131 East 38th Street  
New York, NY 10016  
(212) 889-1288

LENNON, MURPHY & LENNON, LLC  
Attorneys for Defendant  
FIEGE GOTH CO. LTD.  
The Greybar Building  
420 Lexington Avenue, Suite 300  
New York, NY 10170  
(212) 490-6070

KARDARAS & KELLEHER, LLP  
Attorneys for Defendant  
SHENZHEN HIGH POWER TECHNOLOGY CO., LTD.  
44 Wall Street  
New York, NY 10005  
(212) 785-5055